

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COVENTRY CAPITAL US LLC,

Plaintiff,

v.

EEA LIFE SETTLEMENTS, INC., HIREN
PATEL, and VINCENT PISCAER,

Defendants.

No. 17-cv-7417 (VM) (HBP)

**DECLARATION OF
HIREN PATEL**

HIREN PATEL hereby declares as follows:

1. I am familiar with the facts set forth herein, and I make this declaration pursuant to the order of Magistrate Judge Pitman, dated March 29, 2018 (Dkt. No. 47). I do not consent to the jurisdiction of the Court.
2. I am the Managing Director of, and employed by, EEA Fund Management Ltd. ("EEA UK"), located in London, England. I am not a shareholder of EEA UK, nor EEA Fund Management (Guernsey) Limited (the "Guernsey Manager"), located in Guernsey. Neither EEA UK, nor the Guernsey Manager, is a party to this action.
3. I am not employed by, and am not a shareholder or officer of, defendant EEA Life Settlements, Inc.
4. I have an EEA UK email account that I use in conducting business on behalf of my employer, EEA UK, and the Guernsey Manager. The address is Hiren.Patel@eeafm.com.
5. I also maintain hard copy and electronic documents in conducting business on behalf of my employer, EEA UK, and the Guernsey Manager.

6. To the best of my knowledge: (i) EEA UK's electronic documents are located on a server in London, England controlled and operated by EEA UK; and (ii) the Guernsey Manager has IT hardware at its offices in Guernsey; however, most of its electronic documents are located on a server in the UK controlled and operated by a service provider (Daisy Corporate Services), to which the Guernsey Manager has cloud-based access.

7. Pursuant to EEA UK's policies and procedures, documents received or created by me in connection with my employment are EEA UK's property.

8. As these documents belong to EEA UK, I do not, and cannot, exercise control over them. Similarly, I do not, and cannot, exercise control over any potentially relevant documents possessed by the Guernsey Manager.

9. After Coventry Capital US LLC served document requests on December 1, 2017, I requested of EEA UK and the Guernsey Manager to access certain documents located at EEA UK and the Guernsey Manager for the purpose of providing them to my attorneys for production in this action.

10. My attorneys also discussed with counsel for EEA UK and the Guernsey Manager whether I could access these documents for production in this action.

11. I was later informed that EEA UK and the Guernsey Manager would not provide me access to the documents, as requested.

12. In light of the above, I do not have the practical ability to obtain documents in the possession of EEA UK or the Guernsey Manager for disclosure.

13. I am currently investigating whether any documents relating to the subject matter of this litigation may exist on my personal electronic devices and personal email account. If, on

enquiry, that is found to be the case, I will raise with EEA UK and/or the Guernsey Manager whether I am permitted to access them for the purposes of these proceedings.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 11th, 2018 in London, England.

A handwritten signature in black ink, appearing to read 'Hiren Patel', written over a horizontal line.

Hiren Patel